

MARIN VOICE

Now that files are open, the case *isn't* closed

GARY L. AGUILAR, M.D.

DON KATES' SPIRITED defense (Opinion, March 7) of the official version of John F. Kennedy's death — that Lee Harvey Oswald alone caused it — is uninformed as to the exciting new revelations from the Assassinations Records Review Board.

This Clinton-appointed, civilian panel of historians was established in response to Oliver Stone's 1991 film, "JFK," and is working to gather and release long lost documents, as well as review for release those currently suppressed. That so many documents are still suppressed after 33 years has fanned conspiracists' flames, and while Kates is right about the craziness of a few extremists, proof of past conspiracies abounds.



Did not our own government, overreacting to the threat of communism, repeatedly lie about the secret wars it conducted in Laos and Cambodia during the Vietnam era? Did it not perform dangerous, and wildly illegal, radiation, syphilis and LSD experiments in secret on unwitting and non-volunteer Americans? Were not illegal wiretaps, break-ins and mail-openings against law-abiding citizens conducted? Did not Richard Nixon conspire with high government officials to cover up the Watergate burglary? These conspiracies were not the inventions of crazies or Warren Commission critics Oliver Stone or Mark Lane, but the conclusions of official investigations.

As one who has served as a consultant to the records review board and who has seen JFK's still restricted autopsy evidence, I'm persuaded that recent revelations from suppressed JFK files will force a reappraisal by the few in our country who still have total faith in the Warren Commission's conclusion that Oswald acted alone.

Mr. Kates mentioned that the bag found at the supposed sniper's nest ties Oswald to the crime. But two contradictory FBI lab reports on the analysis of the same paper bag have emerged — one, given by the FBI to the Warren Commission in 1964 "proving" the bag matched paper from the schoolbook depository where Oswald worked; a second, which appeared 12 years later, saying that it did not match.

Warren Commission witnesses Nelson Delgado and Wilbryn Litchfield testified under oath that the FBI and federal agents encouraged them to alter their testimonies to implicate Oswald. FBI agent James Hosty received a note from Oswald, a note he destroyed under orders from superiors. The FBI withheld the existence of Oswald's note from the Warren Commission, and, recently, Hosty said that even his own FBI personnel files on the JFK investigation were falsified. Today, we know that the FBI mishandled much more than just Oswald's note.

The FBI reported, and the Warren Commission published, the "fact" that the first two witnesses who discovered the so-called "magic bullet" — the crux of the wobbly "single-bullet theory" necessary to the official version — believed that the bullet apparently now in evidence looked like the bullet they found the day JFK was shot in Dallas, Nov. 22, 1963.

A suppressed memo from the FBI reveals that not only could neither Darrell Tomlinson nor O.P. Wright, the Parkland Hospital employees who found the bullet, identify the one currently in evidence as the one they found, neither could Secret Service agent Richard Johnson or the chief of the Secret Service, James Rowley, the next two men in the bullet's chain of possession. Given recent accusations that the FBI has falsified evidence to support criminal convictions, and documented examples suggesting just that in the JFK case, what evidence are we to trust?

Kates is quite wrong to contend that all ballistics experts have endorsed the single-bullet theory. But he could not have known — the evidence was suppressed until Oliver Stone came along. In fact, at least two experts demurred. The House Select Committee on Assassinations' trajectory-analysis expert,

Opinion

Jeff Prugh,
Editorial Page Editor
Jane Fletcher,
Editorial writer

Marin Independent Journal

"Dedicated to Marin's spirit,
committed to Marin's future."

Phyllis K. Pfeiffer, Publisher

Mike Townsend, Editor

Jacquelyn M. Kerwin, Managing Editor



NOV. 22, 1963: On their final journey together, John and Jacqueline Kennedy arrive in Dallas.

AP photo

Amazingly . . . JFK author Gerald Posner . . . even before the assassinations records board had released a single suppressed document, declared the case "closed."

Thomas Canning of NASA, wrote: " . . . I did not anticipate that study of the photographic record of itself would reveal major discrepancies in the Warren Commission findings. Such has turned out to be the case . . ."

If Kates is right that "only fanatics" would reject the Warren Commission's denial of a "significant link between [Jack] Ruby [Oswald's killer] and organized crime," then Notre Dame law professor G. Robert Blakey, a noted authority on the Mafia and former head of the House assassinations committee; historian Michael R. Beschloss, Reader's Digest Editor Henry Hurt, UC professor Peter Dale Scott, and respected, published authors David Scheim, Ph.D., John H. Davis, Curt Gentry, Mark North and others are certifiable. Each has argued persuasively that Ruby was indeed linked to the Mafia, which, they further persuade, the FBI never adequately investigated for the crime because J. Edgar Hoover, who had a reputation for softness on the Mafia, excluded the FBI's own experts on the Mafia from the probe.

Amazingly, Kates recommended JFK author Gerald Posner, who even before the assassinations records board had released a single suppressed document, declared the case "closed," and Oswald guilty. But there's no denying that Posner was the temporary media darling of Warren loyalists. By contrast, many published, respected authorities have cited Posner's 1993 book, "Case Closed," as one of the

least reliable books on the subject.

The autopsy report's placement of JFK's fatal entrance wound — low in the rear of JFK's head — is incompatible with someone firing into the presidential motorcade from Oswald's supposed position on the sixth floor of the Texas School Book Depository. Posner testified to Rep. John Conyer's congressional committee that he had spoken with two of JFK's pathologists. Posner informed Congress that the pathologists admitted to him they had changed their minds — JFK's fatal wound was not low, but high — a location compatible with Oswald's possible guilt.

I telephoned both of JFK's pathologists to ask them about this blockbuster news. In recorded conversations, both told me that they had not changed their minds about the low wound, and one told me twice that he had never spoken with Posner. I submitted my recordings to the assassinations records board, and I asked Posner, who has told others he, too, has recordings, to do the same. The board also has asked Posner for his proof. It has been more than a year now, and the board has received nothing.

What is important now is whether we can trust the evidence the Warren Commission relied upon, which is overwhelmingly FBI evidence — the same FBI that investigated Watergate and "proved" that the White House was innocent of any wrongdoing after what one senior Justice Department official described as "the most exhaustive FBI investigation since the assassination of President Kennedy."

It is also important, if embarrassing to our just pride as Americans, that it took an Oliver Stone film to force the U.S. government to do what it should have done without Stone — be open and accountable to us citizens.

Gary L. Aguilar, M.D., who lives in Kentfield, is chairman of the Department of Surgery at St. Francis Memorial Hospital in San Francisco and assistant professor of ophthalmology at Stanford University Medical Center and UC San Francisco.